

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

KENNETH FLEMING, JOHN DOE, R.K., and  
T.D.,

Plaintiffs,

v.

THE CORPORATION OF THE PRESIDENT  
OF THE CHURCH OF JESUS CHRIST OF  
LATTER-DAY SAINTS, a Utah corporation  
sole, a/d/a "MORMON CHURCH"; LDS  
SOCIAL SERVICES a/d/a LDS FAMILY  
SERVICES, a Utah corporation,

Defendants.

NO. 04-2338 RSM

MOTION FOR LEAVE TO FILE  
OVERLENGTH BRIEF

**NOTE ON MOTION  
CALENDAR:  
August 30, 2006**

**I. INTRODUCTION**

Defendant Corporation of the President of The Church of Jesus Christ of Latter-Day Saints ("COP") hereby moves for leave to file its motions in limine in a single pleading of no more than thirty-six pages. Motions in limine are to be filed by Tuesday, September 5, and COP anticipates filing approximately 20 motions. Some of these are of the sort that are common to many cases, others relate to unique aspects of this case and require more explanation.

MOTION FOR LEAVE TO FILE OVERLENGTH BRIEF - 1  
No. 04-2338 RSM

**GORDON MURRAY TILDEN LLP**  
1001 Fourth Avenue, Suite 4000  
Seattle, WA 98154  
Phone (206) 467-6477  
Fax (206) 467-6292

1 This motion, if granted, will not change the total number of pages submitted by  
 2 Defendant COP; it will simply allow COP to join the motions in a single filing. The requested  
 3 relief equates to less than two pages per motion.  
 4  
 5

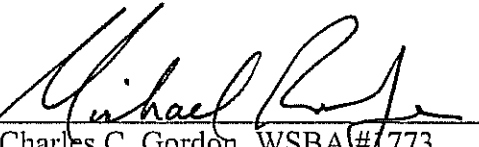
## 6 II. ARGUMENT

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 8 In its recent Order Granting Motion in Limine, the Court noted that COP had  
 9  
 10 "impermissibly filed an overlength reply." Docket 152 at n.1. The Court made this notation in  
 11 the context of a motion in limine that comprised three separate motions. Thus, in regard to the  
 12  
 13 upcoming motions in limine, COP understands that it has the following choices: 1) file multiple  
 14  
 15 separate motions in limine; or 2) obtain leave to file an overlength brief and file a single pleading  
 16  
 17 with all the individual motions contained therein.  
 18  
 19

20 Granting the motion will allow counsel and the Court to consider these motions in a more  
 21  
 22 efficient and convenient form. Denying the motion would change neither the number of motions  
 23  
 24 nor their length, but would merely result in COP filing numerous separate motions, with  
 25  
 26 equivalent numbers of opposition briefs and reply briefs. COP respectfully suggests it will be  
 27  
 28 more convenient for the parties and the Court to consolidate these briefs into a single pleading.  
 29  
 30

31 DATED this 30<sup>th</sup> day of August, 2006.  
 32

33 GORDON MURRAY TILDEN LLP

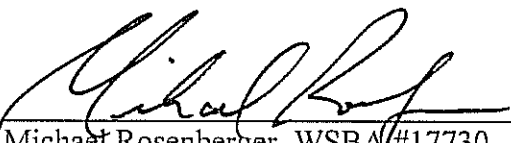
34  
 35 By   
 36 Charles C. Gordon, WSBA #1773  
 37 Jeffrey I. Tilden, WSBA #12219  
 38 Michael Rosenberger, WSBA #17730  
 39 Attorneys for Defendant The Corporation of the  
 40 President of The Church of Jesus Christ of  
 41 Latter-Day Saints  
 42  
 43  
 44  
 45

**CERTIFICATE OF SERVICE**

I hereby certify that on August 30, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following. The parties will additionally be served in the manner indicated.

Michael T. Pfau Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim LLP P.O. Box 1157 Tacoma, WA 98401-1157 Telephone: (206) 676-7500 Facsimile: (206) 676-7575 E-Mail: <a href="mailto:mpfau@gth-law.com">mpfau@gth-law.com</a>  ( ) Mail      ( ) Hand Delivery ( ) Fax      ( ) Federal Express	Timothy D. Kosnoff Law Offices of Timothy D. Kosnoff, P.C. 600 University Street, Suite 2101 Seattle, WA 98101 Telephone: (206) 676-7610 Facsimile: (425) 837-9692 E-Mail: <a href="mailto:timkosnoff@comcast.net">timkosnoff@comcast.net</a>  ( ) Mail      ( ) Hand Delivery ( ) Fax      ( ) Federal Express
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**GORDON MURRAY TILDEN LLP**

By   
Michael Rosenberger, WSBA #17730  
Attorneys for Defendant The Corporation of the  
President of The Church of Jesus Christ of  
Latter-Day Saints  
1001 Fourth Avenue, Suite 4000  
Seattle, WA 98154-1007  
Telephone: (206) 467-6477  
Facsimile: (206) 467-6292  
Email: [mrosenberger@gmtlaw.com](mailto:mrosenberger@gmtlaw.com)